IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF MAY,

TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 10941 of 2005

Between:

Undra Pulla Reddy S/o. Nagireddy
Akkapalli Village, Bestavaripeta Mandal, Prakasam District.

..... PETITIONER

AND

1 The Joint Collector, Ongole, Prakasam District,.
2 The Revenue Divisional Officer, Markapur, Prakasam District,.
3 The Mandal Revenue Officer, Bestavaripeta Mandal,
Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more in the nature of Writ of Mandamus declaring the order of the Revenue Divisional Officer, Markapur, Prakasam District, the 2nd respondent herein in proceedings in D..Dis. H/2095/2004, dt. 12-4-2005 cancelling the permanent dealership/authorisation of the petitoner of fair price shop of Akkapalli Village, Bestavaripeta Mandal, Prakasam District and consequential in action of the 1st Respondent in not considering the appeal and the stay petition filed by the petitioner, against the orders of the 2nd respondent dt. 12-4-2005 as arbitrary, malafide, illegal, improper, void without jurisdiction, contrary to the provisions of law and violative of principles of natural justice and against the rights of appeal and consequently set aside the order in D.Dis. H/2095/2004 dt. 12-4-2005 issued by the 2nd Respondent thereby enabling the petitioner to continue as permanent Fair price Shop Dealer of Akkapalli Village, Bestavaripeta Mandal, Prakasam District.

Counsel for the Petitioner:MR.RAJANIKANTH JWALA

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

ORDER:

This Writ Petition is filed challenging the order dated 12-04-2005 of the 2nd respondent canceling the petitioner's fair price shop authorization for alleged and determined irregularities. Against the said order, the petitioner preferred the appeal to the 1st respondent on 16-04-2005 and thereafter, this writ petition is filed on 3-5-2005. Filing of this writ petition after preferring the appeal remedy, is impermissible. The writ petition is misconceived and devoid of merit .

Accordingly, the Writ Petition is dismissed. No order as to costs. The 1st respondent may consider expeditious disposal of the appeal.

Goda Raghuram,J

03-05-2005

Stp/Km

To

1 The Joint Collector, Ongole, Prakasam District,.
2 The Revenue Divisional Officer, Markapur, Prakasam District,.
3 The Mandal Revenue Officer, Bestavaripeta Mandal,
Prakasam District.

4) 2 CD copie,

5).Two CCs to G.P. for Civil Supplies, High Court of A.P. (OUT).

*Form-NIC-OGS/WP{**VSMI**}*